FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6299 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr. P.K. Dhakephalkar i/by N.P.Shimpi for the Petitioner.

Mr.D.A.Patil, AGP for the State.

Mr.R.D. Suryawanshi for the Respondent Nos. 4, and 7 to 10.

CORAM : R.S. MOHITE,J.
DATED : 24.11.2005.

P.C.

1. Rule.

2. By consent, rule made returnable forthwith.

3. All the parties are heard.

4. This petition impugns an order dated 5.2.2004 passed by the Respondent No.3 intimating one Balan Advocate by way of reply to the letter of the Advocate dated 10.11.2000 that the registration of licence under Shops &

Establishments Act of the petitioner for running an Auto garage has been cancelled. The learned A.G.P. states that this is the only order available for cancellation of licence. The grievance of the petitioner is that he was not heard in the matter.The learned A.G.P. fairly concedes that if the registration was required to be cancelled then the petitioner ought to have been heard. Since there is express violation of the rules of natural justice and order has been passed affecting the civil rights of the petitioner, I am inclined to allow this petition on this ground alone. Rule is made absolute in terms of prayer clause (a).

5. It is made clear that the respondent will be entitled to conduct his garage according to law and police will not harass him on account of earlier cancellation of his licence. Petition stands disposed of finally.

(R. S. MOHITE.)